



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Handwritten notes: *H. G. (5/1)*, *1/23/03*, and a signature.

In re application of: D. KLUG, et al.

Confirmation No.: 1401

Application No.: 09/837,234

Group Art Unit: 1761

Filing Date: April 18, 2001

Examiner: Lien Tran

For: SUGAR WAFER WITH CONFECTIONERY
FILLING AND METHOD FOR MAKING
SAME

Attorney Docket No.: 88265-4026

AMENDMENT

Box Non-Fee Amendment

Assistant Commissioner for Patents
Washington, D.C. 20231

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JAN 17 2003

Sir:

TC 1700

In response to the non-final Office Action mailed October 31, 2002,
Applicants submit the following amendments and remarks for entry into the above-identified
application.

IN THE CLAIMS

Please amend the claims as follows:

01 1. (Twice Amended) A food product comprising a sugar wafer cone
having a filling including a mass of a substantially water-free based confectionery material
that has solidified in the sugar wafer cone from a molten mass prior to consumption, so that
the cone acts as a handle to keep a user's hands clean during eating of the product and the
product combines the pleasure and fun of eating an ice cream cone with the indulgence of a
fat-based confection.

02 3. (Three Times Amended) A food product according to claim 1,
wherein the food product has a weight of 5 to 40 g and is bite-sized or a 2-3 bite sized piece,
and wherein the sugar wafer solidifies from a semi-liquid or semi-solid mass that is
sufficiently flowable to conform to the cone.